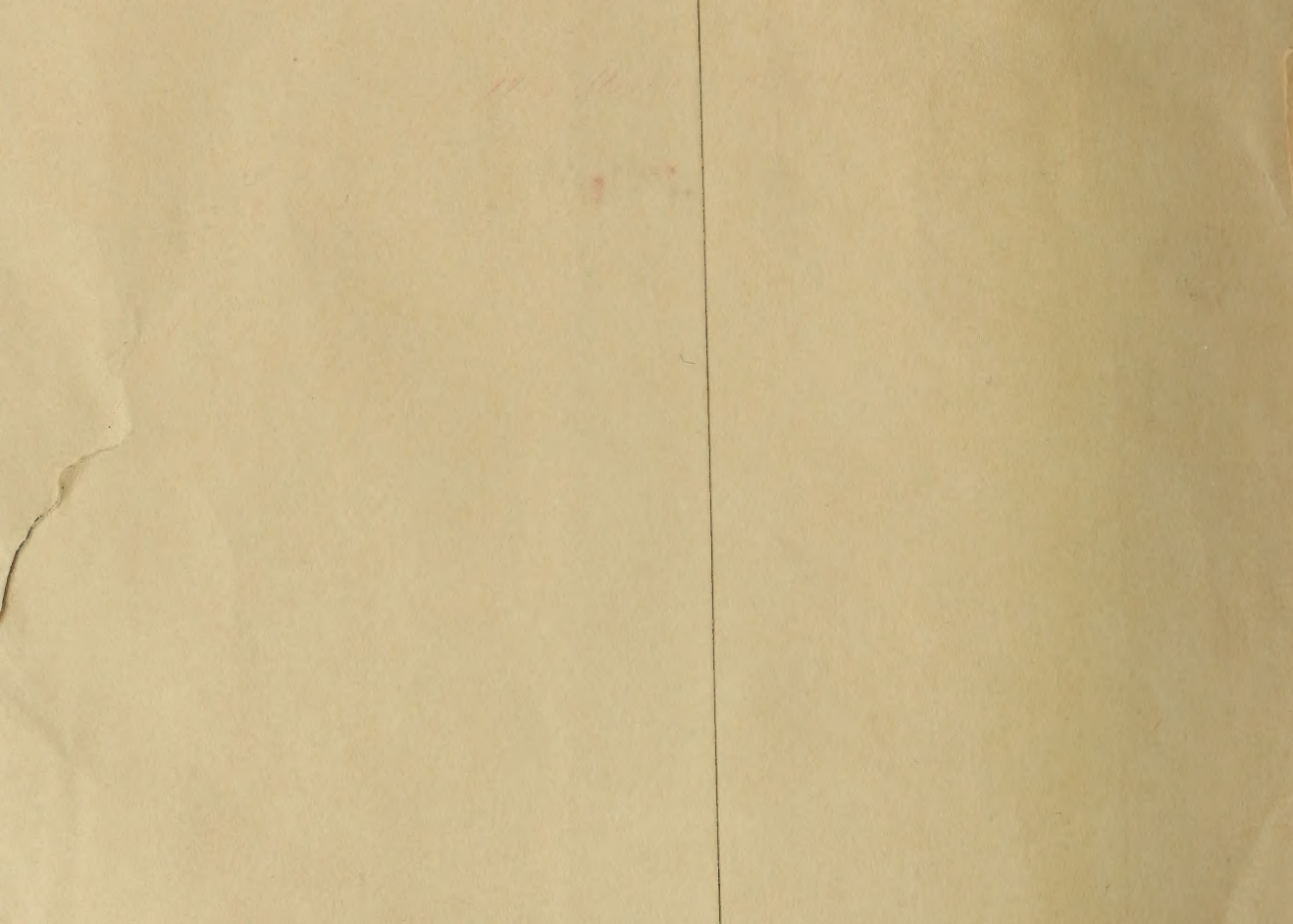


T339
-P23



Facts about Patents.

15 a ✓
9392
H. F. PARKER,

Solicitor of U. S. and Foreign Patents,
Havemeyer Building,

26 CORTLANDT STREET,

N. E. COR. CHURCH ST.

New York, U. S. A.

Cable Address "Protection" Newyork.



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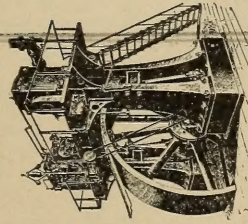
For Rules and Rates see Blue Pages.

1339
P. 123



AGENCIES (indicated by stars).—NEW YORK, WASHINGTON, OTTAWA, MEXICO CITY, LONDON, PARIS
BRUSSELS, BERLIN, VIENNA, BERNE, ROME CONS'NOBLE, COPENHAGEN, ST.PETERSB'G, CALCUTTA, CAPE TOWN,
BRISBANE, SYDNEY, MELBOURNE, HAWAII, BARBADOES, TRINIDAD, JAMAICA, RIO JANEIRO, B'S AYRES, BOGATA.





Facts

About Patents.

The lucrative character of an exclusive right to manufacture and sell a useful and paying invention, or an improvement, of any machine, process, product, or composition of matter, for the term of seventeen years (or a design for the term of thirty years) offers an extremely inviting field for inventors and investors, from which there is a steady product of over one hundred applications for Patents every business day of the year at the United States Patent Office.

WHAT IS PATENTABLE.

RATE OF FILING.

COMPETITION BETWEEN IN- VENTORS.

INTERFER- ENCES.

DILIGENCE NECESSARY.

Stimulating examples of fortune making cause close competition between Inventors, so much so, that two or more applicants for patents for the same invention are often in the Patent Office at the same time, whereupon an Interference is declared. Interferences are almost invariably the indirect consequence of delay by an Inventor in applying for his Patent. Interference controversies also occur between applicants and patentees, since the obtaining of a Patent by a party improperly entitled to the same, does not bar the issue of a second Patent to the prior Inventor and the annulment of the first patent by application to the Courts. The law in behalf of public interest, first favors the Inventor who first favors the public; that is to say, while the first conceiver is fundamentally entitled to the Patent right, he must also have been duly diligent in reducing his invention to a practical form in which it may be useful and available to the public, and in applying for his Patent without delay; otherwise, if the invention is incomplete, the rights of a later conceiver exercising due diligence may intervene and establish

**THE OPPORTU-
NITY OPEN TO
ALL PERSONS.**

“priority” in the latter’s favor. An application for a Patent satisfies the law as an equivalent of actual reduction to practice.

Thousands of dollars and large royalties are often made out of inventions involving comparatively little ingenuity, but plenty of good judgment and live business management, and any person who is the actual Inventor, (or persons who are joint Inventors) may obtain a Patent, irrespective of age, sex, or nationality, provided the invention has not been known or used before the applicants’ conception thereof, and has not been in public use or on sale in this country for more than two years, and has not been patented on another’s originality in any Foreign Country prior to the applicant’s originality in this country. If previously patented abroad upon his own origin, the applicant may obtain a valid United States Patent, which will however be so limited as to expire with the Foreign Patent having the shortest term. (For exceptions see blue pages.)

**NOVELTY
ESSENTIAL.**

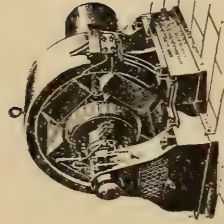
**PREVIOUS
FOREIGN
PATENTS.**

**VALUE OF
FOREIGN
PATENTS.**

American ingenuity has a world wide reputation, and the machines and implements of American invention are eagerly sought after to be manufactured abroad, commanding as ready a sale in proportion to the population as may be obtained in the United States for the same amount of advertising.

**HOW TO RE-
SERVE ALL
RIGHTS.**

American Inventors who are in the commercial swim, and manufacturers who are in a position to know the value of Foreign trade, never fail to patent their inventions in all progressive countries, and in order to do so, the United States application should be filed first, and after its allowance, the Foreign patent applications should be filed simultaneously with the date of *issue* of the United States Patent in order to avoid limitations and bars. (For exceptions see blue pages.)



Infringements.

The object of getting a Patent is, first, to announce to the public an exact definition of what the Inventor claims, and second, to prevent infringing.

**CLAIMS ARE
THE MEASURE
OF THE PROP-
ERTY.**

In order to have a patent of any value whatever against infringers, the language of the claims must be so expressed as to cover all the features of a thing that the Inventor has invented, both in separable elements and in separable combinations, until possibility of infringement by any modification of an element, or omission of a single part of a combination, is precluded. The claims must also establish a valid distinction from the pre-existing state of the art, and broad claims are not to be confused with too general or indefinite claims which would be void even if allowed and granted by the Patent Office.

**AVOID DEDICA-
TION PATENTS.**

All separable matter of invention shown and described in a Patent but not thus distinctly claimed, is legally dedicated to the public.

It is not a function of the Patent Office officials to see that the Inventor gets all he is entitled to in his claims. It is an accepted fact that the Examiners are there to represent the interests of the public. The Patent Solicitor represents the Inventor's interests, and the result of the conflict is the creation of a Patent, the value of which depends wholly and utterly upon the work of the Solicitor.

**VALUE OF PAT-
ENT DEPENDS
WHOLLY ON
SOLICITOR.**

The inventor can therefore ill afford to employ any but a skilled Solicitor whose ability and fees are sufficient to insure the very best quality of work and through effort.

**PATENT NOT
RETRO-ACTIVE.**

A patent is operative from the date of its Grant, and is not retro-active to recover damages for infringement committed before its *issue*, nor can infringement be restrained during the pendency of the application in the Patent Office, which is usually from one to six months, (barring Appeals and Interferences) nor can infringement be restrained under an allowed application until the same has passed to issue, requiring about 20 days.

**TIME REQUIRED
TO OBTAIN
PATENT.**

RE-ISSUES.

When the claims of an issued Patent are inoperative or invalid by reason of a defect or insufficiency which can be proved to have arisen from *inadvertence, accident, or mistake*, the language may be rectified by an application for Reissue, but when the correction involves the broadening of the claims, the application must be made before the rights of the Public to unclaimed matter have intervened; within the first two years of the life of the Patent; and the Reissue will expire with the term of the original Patent.

APPEALS.

Rejected *ex parte* cases, or defeated cases in Interference, can be appealed from the primary Examiners or Examiner of Interferences to the Board of Examiners in-Chief, appeal fee \$10; and from the Board to the Commissioner of Patents, appeal fee \$20. Services chargeable by agreement.

ASSIGNMENTS.

Inventions can be assigned or licensed in whole or in part interest, and in whole or part territory, before or after issue of Patent.

Opinions.

BASED ON SEARCH.

An Opinion is an application of law to facts, based upon a search. In ordering searches, the kind of inquiry to be instituted should be specified; whether (1) on the question of the validity of a Patent, (2) on the question of the scope of the claims, or (3) on the question of the infringement of a new invention upon the claims of a prior Patent.

OBJECTS OF

TO ASCERTAIN POSITION.

Manufacturers about to invest capital should always know where they stand in the possession of Patent rights before going to the expense of placing goods on the market. A search may save the much greater cost of damages for Infringement on the one hand, or undue payment of royalties or purchase money for invalid Patents on the other, or the surrender of a valuable enterprise. Charges are made per diem for this class of service.

WILL TESTIFY AS EXPERT IN PATENT CAUSES.

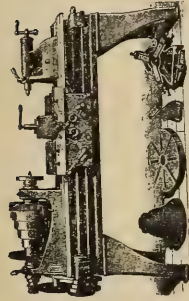
For manufacturers who are involved in controversies and require Expert testimony to prove or disprove questions of infringement, etc., the writer can offer in addition to fifteen years of Patent practice, an exceptional practical experience in mechanical engineering, having actually served in the machine shop and draughting room of leading builders. Also graduate of Collegiate scientific and legal courses.

QUALIFICA- TIONS.

Preliminary Searches.

The charge for a preliminary search is \$5. This embraces an examination in the Patent Office at Washington of the class of United States patents to which an invention relates, and will enable the inventor to ascertain at once the *probable* scope of the claims which he will be able to obtain, and the advisability of applying for a Patent. The result of this search is not conclusive.

ON PROBABLE NOVELTY.



How to Obtain a Patent.

Send to this office a sketch or model of the invention, together with an informal description of the same, stating all its uses and advantages.

The writer will then promptly advise without charge, whether the production is a proper subject for a mechanical patent, a method patent (or both,) or a design patent, or other form of protection. If the case calls for extra work, the applicant will be advised in advance with estimate, of such additional charges as are necessary for a proper preparation of the case.

**SEND SKETCH,
AND POINTS,
AND \$15.**

Upon the receipt of \$15 which is the amount of the first Government fee, the necessary documents will be prepared and forwarded to the Inventor for inspection and signatures.

The drawings are submitted in pencilled lines for inspection before completion.

The Agency fees are then due, amounting in ordinary cases to \$35, Solicitor's fee, and \$5, Draughtsman's fee, total \$40, unless otherwise stipulated per estimate as above.

Upon the return of the papers and receipt of \$40 or amount agreed, the drawings will be completed and the case forwarded immediately to the Patent Office at Washington, where it is filed in its proper Division and taken up for examination in its order.

FILING.

**"PATENT AP-
PLIED FOR."**

The machine or article can now be marked "Patent Applied For" or "Patent Pending" which will help to push forward sales and negotiations.

ACTION.

As soon as an action is received from the Examiner, usually within a very few weeks, the scope of the claims which will probably be allowed can be estimated with reasonable accuracy, and the applicant will be duly advised.

ALLOWANCES.

When the Patent is formally allowed, the final Government fee of \$20, which is payable at any time within six months from the date of allowance, will upon payment, bring the Patent to issue on the third Tuesday after the Thursday succeeding date of payment.

MARK "PATENTED."

After the Patent has issued, the machines, or articles, or packages containing them must be marked with date of Patent as a notice against infringement, for example thus;—"Patented Jan. 8, 1895."

PAYMENT OF FOREIGN FEES.

In taking Foreign Patents, the fees are paid as per rates in following pages, and papers prepared and sent abroad during the interval before payment of the final Government fee in the United States, and advices are forwarded to file the Foreign cases on the pre-determined date of issue of the domestic Patent.

Make remittances by check, draft or money order payable to

HENRY F. PARKER,

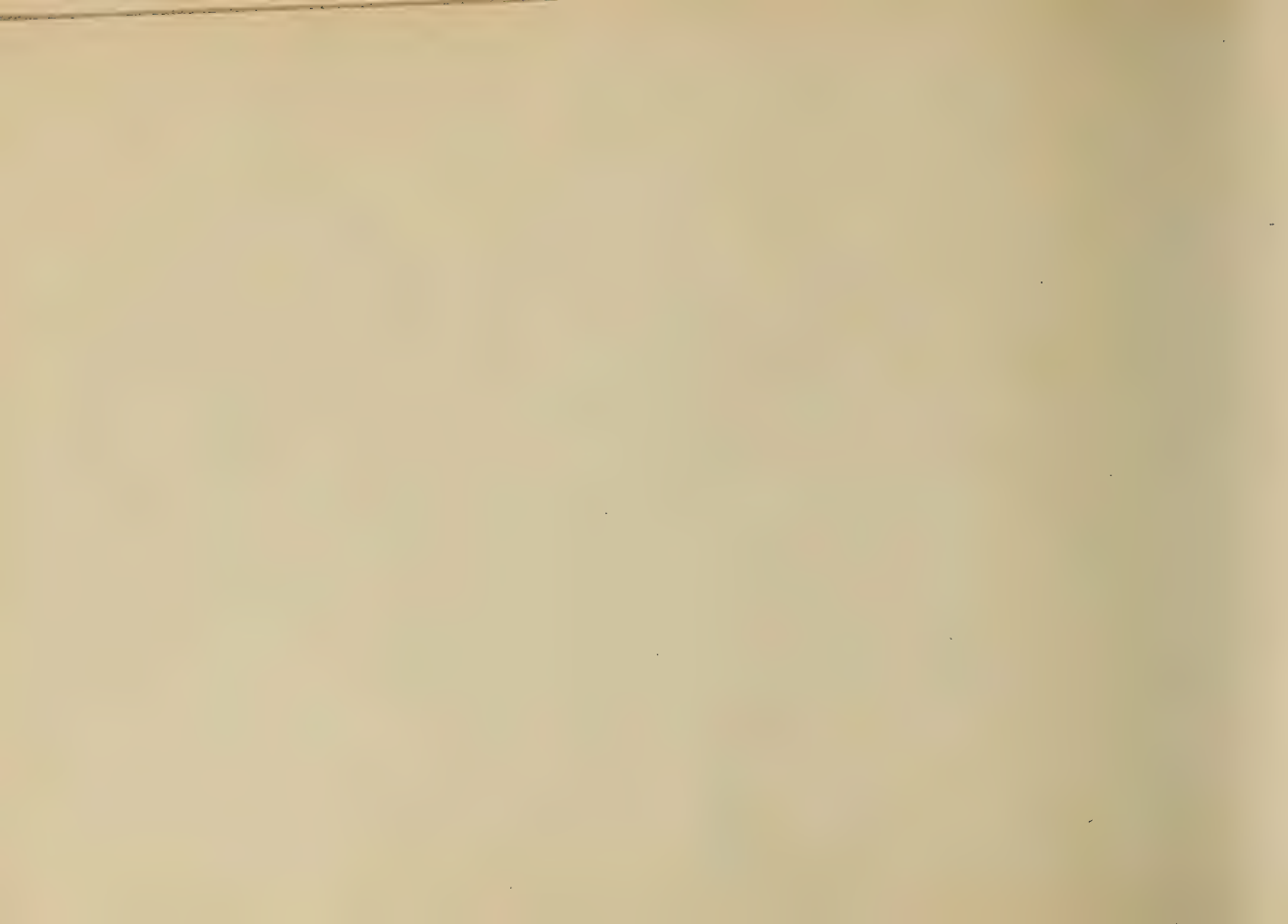
Havemeyer Building,

26 Cortlandt St.,

New York City.

REFERENCES.

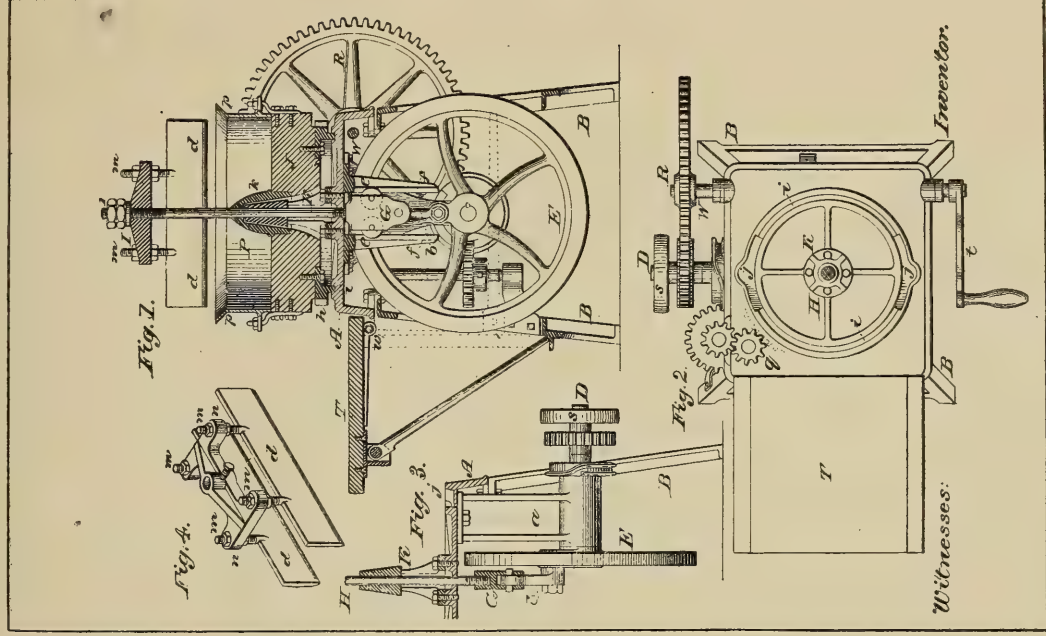
References to leading firms who are permanent clients will be cheerfully furnished on application.

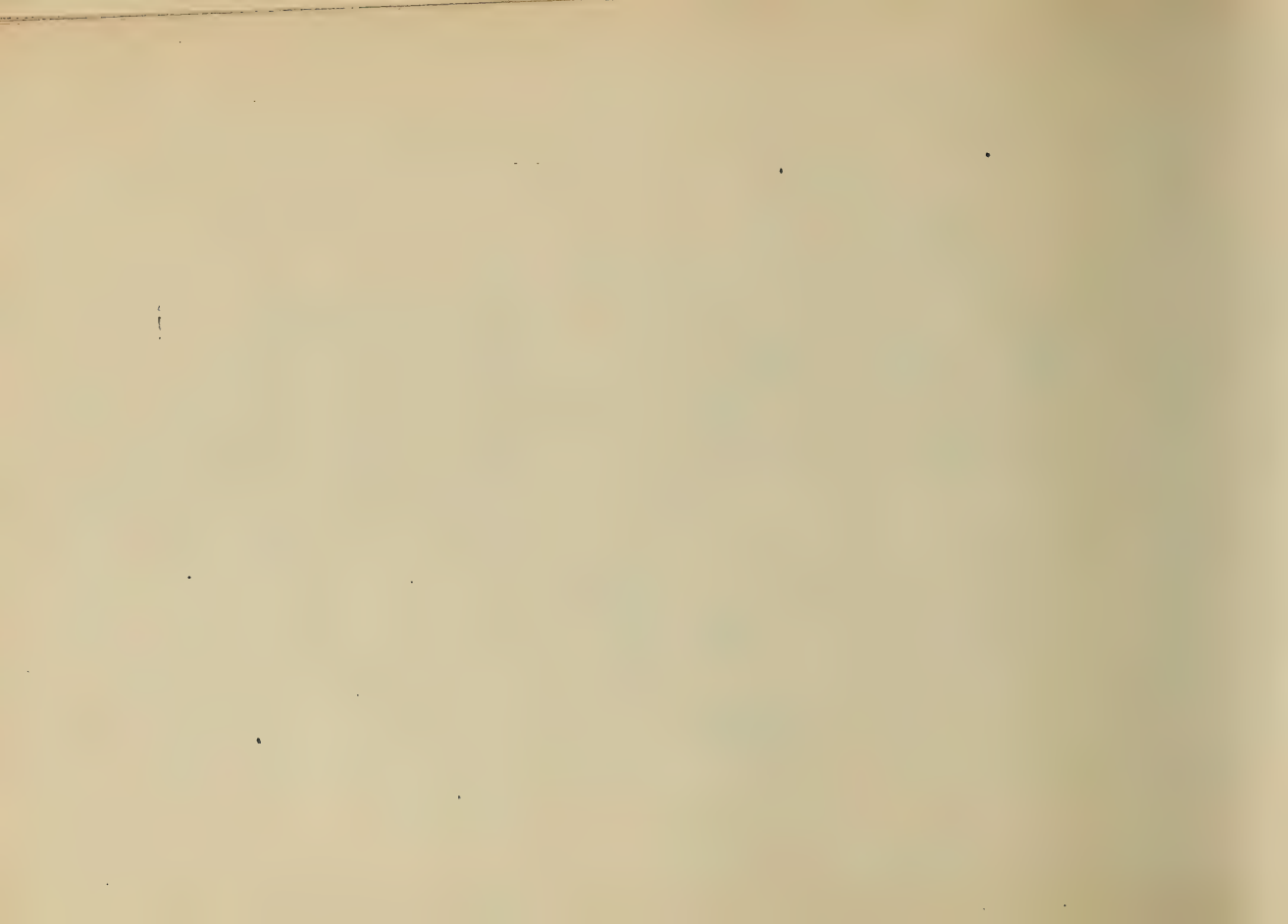


Specimen U. S. Patent Drawing.

10 in. by 15 in., 1 inch Margin, $\frac{1}{4}$ inch space within end.

If placed lengthwise in sheet, drawing must read this side up.





Rules and Rates.

NOTE: A few of the principal countries for money making on American Inventions are here quoted. Others furnished on application.



(UNITED STATES.)

Trade Marks.

Duration thirty years, renewable thirty years. Government fee \$25. Agency fee \$25. Fac-simile drawing, and Oath of prior use in commerce with Foreign Countries required.

Designs.

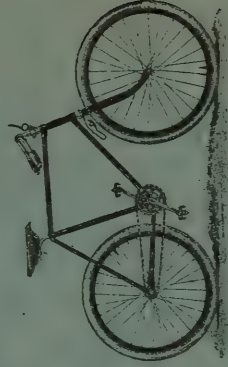
Duration, $3\frac{1}{2}$ years. 7 years or 14 years. Government fees \$10, \$15 or \$30. Agency fees \$25. Petition Oath and Specification signed and sworn by Designer, and drawing prepared same size and quality as for Patents. Application must be made before publication.

Copyrighting.

Labels \$20. Duration twenty-eight years, renewable fourteen years. Six copies required. Must be registered in Patent Office before use. Literature, Music and Art, \$5, for which title must be registered before publication, and two copies deposited with Librarian of Congress.

Assignments, licenses, and agreements \$5 upward. Recording fees \$1 to \$3.

Assignments.



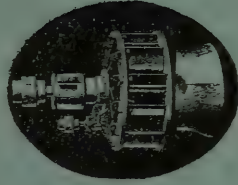
(GERMANY.)

**Design or Model
patents.**

§40. Granted for three years; extensible to six on small payment. Same papers as for Patent application. This Act was specially devised to afford protection for inventions of a domestic nature and others of small patentable novelty. No search as to novelty, but prior publication has same effect as in preceding clause. Specification and drawings same as for Patent Applications.

Trade Marks.

A new and improved Act has just come into force requiring all Marks previously registered in Germany, to be registered in Berlin before October 1st, 1898. Cost of registering old Mark, \$55, or registering new Mark \$65. Power, Block and legalized Certificate of home registration.



France.

Duration.	Fifteen years.
Cost.	\$79 first years taxes paid, including 500 words translation, beyond this at rate of 50 cents per 100.
Power.	In French. No legalization required.
Drawings.	In duplicate \$5. per set; any size and material.
Taxes.	Yearly, from date of Application. Cost including Agency \$27.50.
Working.	Must be proved within two years from Grant, and every subsequent two years.
Assignments.	Unique, in that the taxes of the remaining life of Patent have to be paid up before Assignment can be recorded. It is customary to make Notarial assignments without taxes.
Effect of publication.	Publication in any country invalidates a subsequent Patent. Applications in France should, therefore, be filed on the date of Issue of the United States Patent.
Trade Marks.	\$55. Block and Certificate of United States Mark required. Power legalized by French Consul.
Convention.	France is a party to the International Union. Patent may be validly filed within 7 mos. from <i>filing</i> date of issued U. S. Patent under special forms.

1871

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Belgium.

Duration.

Twenty years, but limited by life of prior Foreign patent.

Cost.

\$59.50, including 500 words translation: over 500 words, 50 cents per 100, subject to reduction in the event of French Application also. Patents of Importation, same.

Power.

As in France.

Drawings.

In duplicate, \$5. per set, on cloth. Size $8\frac{3}{8}$ in. by $13\frac{3}{8}$ in. or multiplies thereof, margin $1\frac{3}{4}$ in.

Taxes.

Yearly, from date of Application, Second year, tax \$11.25. Third year, \$13.25 and so on, increasing \$2. yearly.

Working.

Must be proved within one year of commencement of Working elsewhere; if the invention is not in practical operation in any country, this is usually calculated from the date of proof of Working in some country where proof has to be made—Austria, for example.

Effect of publication.

Publication in Belgium invalidates a subsequent patent. Patent of Importation can be obtained validly before arrival of full publication of U. S. Patent.

Convention.

Belgium is a member of the International Union.

Trade Marks.

Cost \$55. Power, Block, and Certificate of United States registration required.

Austria.

Duration.	Fifteen years.
Cost.	\$77.50, first year's taxes paid, including 500 words translation; over 500 words, 50 cents per 100.
Power.	In German, legalized by Austrian Consul.
Drawings.	In duplicate \$5 per set, any size on cloth.
Taxes.	\$25 2d year. Cost for 3rd, 4th and 5th years, including Agency, increasing annually, \$3 to \$6.
Working.	Must be proved within one year of Grant, and every two years. These must be <i>bona fide</i> .
Effect of prior publication.	Publication in Austria invalidates a subsequent Patent, but foreign specifications are usually held over for six months before being open for public inspection. If invention protected in Hungary, Patent in Austria may be applied for any time with 90 days of Grant.

Trade Marks.

\$55. For Austro Hungary. Twelve copies of Mark required. Legalized Power, Block, and legalized Certificate of home registration.

Hungary.

Cost.	\$77.50, first year's taxes paid, including 500 words translation; over 500 words, 62 cents per 100.
Power	In the Magyar language legalized by Austro-Hungarian Consul.

Duration.
Drawings.
Effect of prior publications.
Taxes.

} Same as in Austria.

Italy.

Duration.

Fifteen years.

Italian Patents are usually taken for six years, and subsequently prolonged. Prolongation \$25. plus \$2. for each year included in prolongation, the number of which is optional. May be repeated to full term. Translations 50 cents per 100 words in excess of 500.

Cost.

\$86. 6 years taxes paid.

Power.

In French. Legalized by Italian Consul.

Drawings.

In triplicate \$7 per set; one copy on Bristol board and two on cloth. Size not exceeding $15\frac{3}{4}$ in. by $23\frac{5}{8}$ in., 2 in. margin.

Taxes.

Yearly, due at end of quarter in which Application is filed. (Thus tax on Application filed, say, January 12th, would be due on March 31st of each succeeding year.) Cost, 2nd and 3rd years, \$17.50; 4th to 6th years, \$22.50; 7th to 9th years, \$27.50; 10th to 12th years, \$32.50; 13th to 15th years, \$37.50.

Working.

If Patent taken out for 6 years and upwards, within two years of Grant and every two years.

Effect of prior publication.

Publication of invention patented abroad does not invalidate subsequent Patent, provided no importation or working of invention has taken place in Kingdom.

Trade Marks.

Cost \$55. Block, legalized Power and Certificate of Foreign registration.

Convention.

Italy is a member of the International Convention.

Switzerland.

Duration.

Fifteen years.

Cost.

Provisional protection for 3 years, \$50. Subsequently completing \$36. Complete Patent in first instance, \$75., including 500 words translation; over 500 words, 50 cents per 100.

Power.

In French. No legalization required.

Drawings.

In duplicate \$5 per set; one copy on Bristol board, the other on cloth. It is very important that the drawings shall be on smallest number of sheets possible, otherwise rejected. Size preferred 13 in. by 8½ in., where not possible 13 in. by 16½ in. ½ in margin.

Taxes.

Yearly, from date of Application. 2nd year, tax \$14; 3rd year, \$16; 4th year, \$18, and so on, increasing \$2 each year.

Working.

Before definitive Patent granted, proof of existence of model required within 3 years. Proof may be furnished by Photographs without examination, if undertaking given that photos are in accordance with the Invention.

Effect of prior publication.

Publication in Switzerland invalidates subsequent Patent.

Trade Marks.

\$50. Power legalized by Swiss Consul. Block, and legalized Certificate of Foreign registration required.

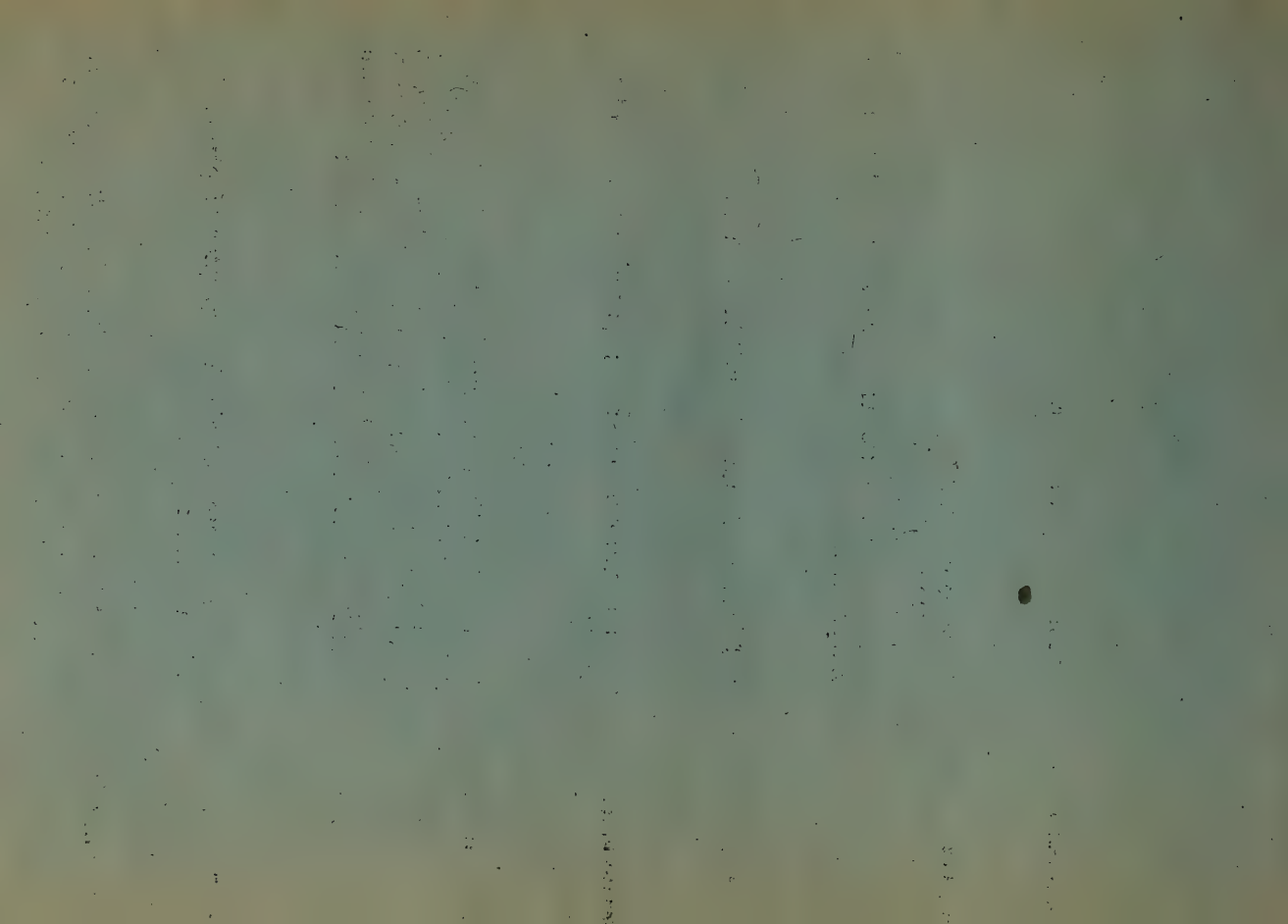
Convention.

Switzerland is a member of the International Convention.



Russia.

Duration.	Three, five or ten years.
Cost.	Three years \$136.25. Five years \$166.25. Ten years \$336.25. Including 500 words translation; over 500 words, \$1.00 per 100.
Power.	In Russian. Legalized by Russian Consul.
Drawings.	In duplicate \$5 per set; on paper or tracing cloth. Any size.
Taxes.	None, but Application can be extended to full or intermediate term before grant of Patent, but not after. It is not safe to delay Prolongation beyond 3 to 5 months from filing. Cost of Prolonging from 3 to 5 years, \$55; from 3 to 10 years, \$225. It is therefore practically advisable to elect term at the outset.
Working.	Must be proved within first quarter of period for which Patent is granted.
Trade Marks.	Cost \$55. Four copies of Mark. Power legalized by Russian Consul. Block and Certificate of registration in home country attested by Russian Consul.



Spain.

Duration.

For unpublished inventions, granted to inventors only, 20 years. For inventions not patented abroad for more than 2 years, 10 years, For Patents of importation, 5 years.

Cost.

\$75, first year's taxes paid. If Colonies (Cuba, Porto Rico and Phillipine Islands) included add \$15. 500 words translation included; over 500 words, 50 cents per 200.

Power.

In Spanish. No legalization required.

Drawings.

In duplicate \$5 per set; on tracing cloth. Any size.

Taxes.

Annually, one day previous to date of Grant. 2nd year, tax \$12.50; 3rd year. \$14.50; 4th year, \$16.50, and so on, increasing \$2. annually.

Working.

Must be proved within two years of Grant, and continuously yearly. The article must actually be manufactured in Spain, and a superficial working will not satisfy the officials.

Trade Mark.

Cost \$52. Including Colonies, add \$20. Four copies of Mark, Block, Power in Spanish. Certificate of registration in home country attested by Spanish Consul.

Convention.

Spain is a member of the International Convention.

New South Wales.

(AUSTRALIA.)

Duration.

Fourteen years.

Cost.

Provisional protection (12 mos.) \$55. Subsequently completing \$65. Complete application in first instance \$100 all taxes paid for full term of Patent.

Power.

Signed by applicant. Specification in duplicate signed by applicant. In case of a communicated invention appointment of Agent signed by Applicant.

Drawings.

In duplicate \$5 per set; one copy on smooth hot-pressed stout drawing paper, and one on similar paper, parchment, or tracing cloth. Size 8 in. by 13 in. or 13 in. by 16 in. Margin 1 in.

Taxes.

None after issue of Patent.

Working.

None.

Effect of publication.

Publication or prior patenting in foreign countries immaterial if not introduced in New South Wales.

Trade Marks.

\$65. Three copies of Mark and Authorization required.



Victoria. (AUSTRALIA)

Duration.

Fourteen years—may sometimes be extended an additional fourteen years.

Cost.

Provisional Protection (9 mos.) \$40. Subsequently completing, \$70. Complete application in first instance \$90, 3 years taxes paid.

Power.

Signed by inventor or foreign patentee.

Drawings.

In duplicate, \$5 per set, on perfectly white drawing paper or bristol board. Size 8 in. by 13 in. or 13 in. by 16 in. Margin $\frac{1}{4}$ in.

Taxes.

Before expiration of 3rd year \$25. Before expiration of 7th year \$25.

Working.

None.

Effect of publication.

Application must be filed before publication in Victoria except when previously patented abroad and then it must be filed in season to be sealed within twelve months from date of issue of foreign patent.

Trade Marks.

\$55. Four copies of Mark, Block, and Authorization required.

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RECAPITULATION.

Preliminary examination	
Caveat, Gov. fee \$10. Agency \$25. Drawing \$3	\$5.00
U. S. Patent, application Gov. fee \$15. Agency \$35. Drawing \$5.	38.00
U. S. Patent, final Gov. Fee.	55.00
U. S. Design Patent Gov. fee \$10 to \$30. Agency \$25.	20.00
Total	55.00
U. S. Trademark Gov. fee \$25. Agency \$25.	50.00
U. S. Labels.	20.00
U. S. Copyright.	6.00
Canadian Caveat.	25.00
“ Patent.	50.00
“ Trademark.	60.00
British Prov. Protection.	40.00
“ Patent.	77.50
“ Trademark.	40.00
German Patent.	75.00
“ Trademark.	65.00
French Patent.	79.00
“ Trademark.	55.00
Belgian Patent.	59.50
“ Trademark.	55.00
Austrian Patent.	77.50
“ Trademark.	55.00
Hungarian Patent.	77.50
“ Trademark.	55.00
Italian Patent.	86.00
“ Trademark.	55.00
Swiss Prov. protection.	50.00
“ Patent.	75.00
“ Trademark.	50.00
Russian Patent.	50.00
“ Trademark.	\$136.25 to 336.25
N. S. Wales (Australia) Prov. Protection.	55.00
“ Patent.	55.00
“ Trademark.	100.00
Victoria (Australia) Prov. Protection.	65.00
“ Patent.	40.00
“ Trademark.	90.00
	55.00

Drawings and translations extra in above foreign quotations for Patents. When several are taken, lithos. may be used, reducing cost. Other costs quoted on application.



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